

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
ANTHONY BAYAD,	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION
	)	NO. 04-10468-GAO
JOHN CHAMBERS, PATRICIA RUSSO,	)	
ANTHONY SAVASTANO, and	)	
CARL WIESE,	)	
	)	
Defendants.	)	
_____	)	

**CISCO DEFENDANTS' OPPOSITION TO PLAINTIFF'S  
MOTION MANDATING COMPLIANCE WITH RULE 11**

Defendants John Chambers, Anthony Savastano, and Carl Wiese (the "Cisco Defendants") oppose Plaintiff's Motion Mandating Attorney of Record Bruce E. Falby To Comply At Minimum With The Rule Of Civil Procedures The Rule 11(A).

Plaintiff complains that paper copies served on him of documents that the Cisco Defendants have filed electronically do not contain counsel's handwritten signature. Plaintiff complains that this violates Fed. R. Civ. P. 11.

All documents filed electronically by Cisco Defendants' counsel comply with the Court's Electronic Case Filing Administrative Procedures. Administrative Procedure J titled "Signature" addresses this point:

1. Attorneys. The user log-in and password required to submit documents to the ECF system shall serve as that user's signature for purposes of Fed.R.Civ.P.11 and for all other purposes under the Federal Rules of Civil Procedure and the Local Rules of this Court. All electronically filed documents must include a signature block and must set forth the attorney's name, Bar number, address, telephone number and e-mail address. The name of the ECF user under whose log-in and password the document is submitted must be preceded by a "/s/" and typed in the space where the signature would otherwise appear.

Thus, no handwritten signature on the electronically filed documents is required. The user log-in and password required to electronically file the documents serve as the user's signature for purposes of Rule 11.

WHEREFORE, the Cisco Defendants request that plaintiff's motion be denied.

Respectfully submitted,

DEFENDANTS JOHN CHAMBERS,  
ANTHONY SAVASTANO and  
CARL WIESE  
By their attorneys,

/s/ Bruce E. Falby

---

Bruce E. Falby, BBO #544143  
DLA PIPER RUDNICK GRAY CARY US LLP  
One International Place  
Boston, MA 02110  
Phone: (617) 406-6000  
Fax: (617) 406-6100

Dated: March 3, 2005